

BEFORE
THE PUBLIC SERVICE COMMISSION OF
SOUTH CAROLINA
DOCKET NO. 2005-250-T - ORDER NO. 2006-229
APRIL 13, 2006

IN RE: Application of Charleston Transportation)
 Leasing, LLC for a Class C (Taxi) Certificate)
 of Public Convenience and Necessity for)
 Operation of Motor Vehicle Carrier)

ORDER GRANTING
CLASS C (TAXI)
CERTIFICATE

This matter comes before the Public Service Commission of South Carolina (“the Commission”) by way of the Application of Charleston Transportation Leasing, LLC (“Charleston Transportation” or “the Applicant”) for a Class C (Taxi) Certificate of public Convenience and Necessity, to render motor passenger service as follows:

BETWEEN POINTS AND PLACES IN CHARLESTON, BERKELEY AND
DORCHESTER COUNTIES, SOUTH CAROLINA,

RESTRICTED TO: SEVEN (7) PASSENGERS.

On October 12, 2005, the Office of Regulatory Staff (“ORS”) filed with the Commission an objection to this application and requested a formal hearing in this matter. On March 17, 2006, ORS filed a letter notifying the Commission that, pursuant to the Commission’s ruling in Docket No. 2005-279-T, ORS no longer objected to the application of Charleston Transportation.

In Order No. 2006-117 in Docket No. 2005-279-T, the Commission held that the use of self-insurance by taxicabs in lieu of conventional insurance coverage is statutorily authorized by the Motor Vehicle Financial Responsibility Act, S.C. Code Ann. §56-9-60

(Supp. 2004), and the use of such self-insurance coverage shall not be a bar to the insurance of a Class C (Taxi) Certificate, as long as the Applicant and the entity holding the Self-Insurance Certificate issued by the South Carolina Department of Motor Vehicles comply with all applicable statutes and regulations and maintain liability coverage on the operator and vehicle equal to or greater than the minimum coverage levels specified in 26 S.C. Code Ann. Regs. 103-172 (Supp. 2005).

ORS notified the Commission that, given this ruling, they no longer objected to the application of Charleston Transportation; however, ORS did request that the Commission address the issue of notification of coverage in its Order. Specifically, ORS requested the Commission require Charleston Transportation to notify the ORS when Charleston Transportation extended coverage of its self-insurance certificate to a holder of a Class C Certificate or cancelled such coverage.

Upon consideration of the Application, the representations contained therein and the documentary evidence attached thereto, the Commission finds that the Applicant is fit, willing and able to perform the service to the public under the authority sought. The Commission also finds that the granting of the Certificate is required by public convenience and necessity. The Commission's review of the Application, and the nature of the taxi cab business,¹ leads this Commission to find that the instant Application should be approved.

¹ See, e.g., Order No. 79-26, issued in Docket No. 78-491, IN RE: Application of Right's Transportation Service, Inc., on February 27, 1979.

IT IS THEREFORE ORDERED:

1. That the Application of Charleston Transportation Leasing, LLC for a Class C (Taxi) Certificate of Public Convenience and Necessity is hereby approved.
2. That the Applicant file, or cause to be filed with the Office of Regulatory Staff the proper license fees, proof of liability insurance (i.e. "Form E" or "Self-Insurance Coverage Certificate"), and other information required by S.C. Code Ann. Section 58-23-10 et seq. (1976), as amended, and by 26 S.C. Code Ann. Regs. 103-100 through 103-41 (Supp. 2004) of the Commission's Rules and Regulations for Motor Carriers, and 23A S.C. Code Ann. Regs. 38-400 through 38-503 (Supp. 2004) of the Department of Public Safety's Rules and Regulations for Motor Carriers, within sixty (60) days of the date of this Order, or within such additional time as may be authorized by the Commission.
3. That failure of the Applicant to either (1) complete the certification process by complying with the Commission requirements of filing with the Commission proof of appropriate insurance and the payment of license fees and such other information required by law within sixty (60) days of the date of this Order or (2) request and obtain from the Commission additional time to comply with the requirements stated above, may result in the authorization approved in this Order being revoked.
4. That upon compliance with the filing of information as required by S.C. Code Ann. Section 58-23-10, et seq. (1976), as amended, and the applicable Regulations for Motor Carriers, S.C. Code Ann., Vol. 26 (1976), as amended, a Certificate shall be issued by the ORS to the Applicant authorizing the motor carrier services granted herein.

5. That prior to compliance with the requirements regarding the filing of certain information with the ORS and receipt of a Certificate, the motor carrier services authorized by this Order may not be provided.

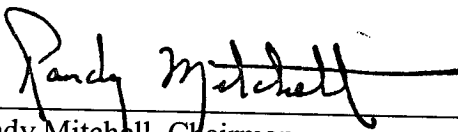
6. That, in the event Charleston Transportation enters into lease agreements with certificated drivers or other certificated entities and extends coverage of its self-insurance certificate to such drivers or entities, Charleston Transportation agrees to notify ORS of the applicability of coverage of these drivers immediately upon applicability of such coverage.

7. If, for any reason, a certificated driver's or entity's leasing arrangement with Charleston Transportation is terminated, or if Charleston Transportation no longer extends coverage of its self-insurance certificate to a certificated driver or entity, Charleston Transportation agrees to notify ORS of the cancellation of such certification immediately upon cancellation of such coverage.

8. The notification shall include the name of the driver or entity as that name appears on the application or certificate of the motor carrier. Additionally, the notification shall include the vehicle identification number of the leased vehicle and an updated copy of the listing of vehicles covered by Charleston Transportation's self-insurance certificate as required by the South Carolina Department of Motor Vehicles.


9. That this Order shall remain in full force and effect until further Order of the Commission.

BY ORDER OF THE COMMISSION:



Randy Mitchell, Chairman

ATTEST:



G. O'Neal Hamilton, Vice-Chairman

(SEAL)